

REMARKS/ARGUMENTS

Section 101 Rejection

The Examiner has incorrectly rejected claims 14 and 29 under 35 USC §101 because “the claims are not limited to tangible embodiments since they do not claim physical articles or objects as part of the claims to establish a statutory category as a machine or manufacture, and they are clearly not to a process or composition of matter.” Applicants note that the Section 101 rejection was successfully traversed in the Amendment After Final filed July 17, 2006. As noted in the Advisory Action mailed August 7, 2006, “[t]he claim amendments to claims 14 and 29 will be entered and overcome the 101-type rejection issued with the last office action.” Applicants respectfully request that a correction be made.

Section 103(a) Rejections

The Examiner has rejected claims 1-4 and 16-29 under 35 U.S.C. 103(a) as being unpatentable over Johnson et al (US Pat No: 5,761,420, hereinafter Johnson) in view of Wright (US Pat No: 6,204,847, hereinafter Wright). Applicants have reviewed these references and respectfully disagree with the Examiner’s assessment.

In general, Johnson pertains to a method and apparatus that enables modification of a document via telephone. In the method, one user is defined as a Driver and another user is defined as a Passenger. The Driver determines the changes to be made to the document, and the changes are reflected in both versions of the document displayed to the Driver and Passenger. In this method, it is necessary for the Driver and Passenger to use the same collaboration application program to effect the method, with each user invoking a collaboration application program referred to as a keyboard interception terminate and stay resident (“KITSR”) program (see column 5, lines 50-55, and Figure 5, step 104).

In general, Wright pertains to a method that provides for the execution of first and second sets of application programs. In this method, lists of the first and second sets of application programs are maintained and the lists are selectively swapped with the operating system to switch between the execution of the first and second sets of application programs to create a shared virtual application space and a non-shared

application space. However, the Examiner only references generic information pertaining to collaboration application programs in column 1, line 46-column 2, line 22, discussed in more detail below.

With regard to Claim 1, the Examiner asserts that Johnson teaches “an indicator on at least one of said integrated telephony devices; and a collaborate control program associated with each of said at least two integrated computer telephony devices for detecting commonly supported ones of said collaboration application programs and in response activating said indicator.” In doing so, the Examiner equates the display screens of workstations 46X and 46Y of Figure 2 in Johnson with an indicator as claimed in the present application. To understand the function of the indicator as claimed in the present application, the Examiner is referred to paragraph 25 of the present invention: “...if both parties each have at least one common collaboration application program supporting at least one protocol in common then the collaborate indicator 7 is illuminated. Conversely, if the parties do not share a collaboration application program in common, or the situation is indeterminate, the collaborate indicator 7 will not be illuminated...” In other words, the indicator of the present invention has an activated state and a deactivated state, the indicator being in an activated state if a commonly supported ones of said collaboration application programs is detected, and the indicator being in a deactivated state otherwise.

Hence, if the display screens of the workstations of Johnson were indicators as claimed in the present application, then the display screens would be activated if commonly supported ones of said collaboration application programs (e.g., KITSR) are detected, and deactivated otherwise. Hence, a user of the workstations would only be able to use the workstations if the commonly supported ones of said collaboration application programs are detected as the display screen provides the visual interface between the user and the workstation.

However, at a minimum, the workstations may be used to run word processing editors (see column 3, lines 61-67); if the display screens were indicators as claimed in the present application, a user would only be able to use the word processors if the commonly supported ones of said collaborative application programs are detected.

Furthermore, with reference to Figure 5 in Johnson, at column 5, lines 44 through 61, it is clear that each user of workstations 46X and 46Y must execute editor applications independent of each other (see step 102 of Figure 5) prior to invoking the "KITSR" collaboration application program (see step 104 of Figure 5). In order to do so, each user must visually interact with the workstation, prior to invoking KITSR. Hence, the display screens cannot possibly be equated with indicators as claimed in the present application as the display screens would not be activated until step 104 of Figure 5, making the execution of the editor application programs at step 104 impossible, as well as the invocation of KITSR. In other words, the user would not be able to visually interact with the workstation when the display screen is deactivated, and could not possibly launch either the editor application programs or KITSR if they could not visually interact with workstation. Hence, not only is it erroneous to equate the display screens of Johnson with the indicator as claimed in the present application, but Johnson specifically teaches away from claim 1 of the present application.

Moreover, the display screens of Johnson would NEVER be activated as there is no teaching or suggestion of any means whatsoever of "detecting commonly supported ones of said collaboration application programs and in response activating said indicator."

Attention is now directed to the Examiner's assertion that Johnson further teaches a "collaborate control program associated with each of said at least two integrated computer telephony devices for detecting commonly supported ones of said collaboration application programs..." as claimed in the present application. The Examiner acknowledges that "Johnson does not describe the collaborative software in depth," and indeed the collaboration application of Johnson relies on remote users manually setting up a collaboration session by establishing a telephone connection (i.e. one user must manually call another user, see column 1, line 65, Figure 2, elements 40, 42 and 48, and step 100 of Figure 5), and once the call is established each user must manually invoke KITSR (see step 104 of Figure 5). Hence, there is no teaching whatsoever in Johnson of a collaborate control program...for detecting commonly supported ones of said collaboration programs. Rather, the users of Johnson must have

established knowledge that other user has a copy of the collaboration application program on their workstation.

However, the Examiner further asserts that "Wright teaches how collaborative systems allows multiple user works to work concurrently on the same item." The Examiner yet further asserts that "such collaborative systems are able to connect users automatically without users having to trouble themselves with connection setups," and concludes that it would have been obvious to one skilled in the art to have combined Johnson and Wright "to support a greater degree of concurrent interactivity."

Contrary to the assertions of the Examiner, the cited portions of Wright have no bearing whatsoever on embodiments claimed in the present application. Rather, the cited portions of Wright simply refer to standard methods of operation used by "conventional collaborative application programs." Specifically, Wright states that the "manner and nature of the permitted application is strictly controlled by the particular (collaborative) application (program)," at column 1, lines 50-52. Further, at lines 59-62, Wright states that the "application itself is responsible for initiating or joining a collaborative session by registering with the background server through a proprietary protocol, though typically overlaid on a conventional protocol such as TCP/IP."

However, the present application in fact acknowledges at paragraph 19 that collaboration application programs themselves interact with each other to support video applications, editing applications etc., and specifically states that "operation of these collaboration application programs is beyond the scope of this application although the structure and operation thereof would be well known to a person of ordinary skill in the art." Hence, the assertion of the Examiner that Wright is pertinent to the claims of the present application is erroneous, as the cited passages of Wright simply state what the present application is already acknowledging: that the operation of collaboration application programs is well known.

Rather, the Examiner seems to be equating the claimed collaborate control program with the collaboration application programs of Johnson and Wright. However, neither Johnson nor Wright teach a collaborate control program . . . for detecting commonly supported ones of said collaboration application programs, and neither are the collaboration application programs of Johnson and Wright enabled for "detecting

commonly supported ones of said collaboration application programs.” In fact, in contrast to the assertions of the Examiner, the collaboration applications programs of Johnson and Wright are specifically configured to speak only with each other and further are not configured to detecting supported ones of said collaboration application programs. Indeed, if a user of the collaboration application program as taught in either Johnson or Wright, or a combination thereof, wishes to detect commonly supported collaboration application programs of another user, there is no means or them to do so.

Indeed, a user of a specific collaboration application program as taught in either Johnson, Wright, or a combination must have established knowledge that other user has a copy of the same collaboration application program. For example, Johnson teaches that a user of the collaboration application program must manually call the other user to learn if the other user has a copy of the same collaboration application program. Further, if a user of the collaboration application program as taught in the cited passages of Wright wishes to learn if another user has a copy of the same collaboration program, the user must first invoke the collaboration application program and attempt communication with the same collaboration application program that the other user may or may not have installed. If the same collaboration application program is NOT installed, then the user has invoked the collaboration application program for naught, and further used both system resources and bandwidth that results in a communication failure.

Indeed, with the collaborate control program as claimed in the present application, commonly supported ones of said collaboration application programs may be detected. If a commonly supported collaboration application program is detected, the indicator is activated in response. This allows the user to learn if another user has commonly supported ones of said collaboration application program, and launch said commonly supported ones of said collaboration program when the indicator is activated. Hence collaboration application programs that are NOT commonly supported are not launched, saving system resources and bandwidth.

Hence the assertions of Examiner are traversed.

Independent claims 14, 16, 17, 27, 18 and 29 comprise at least one of the limitations of claim 1 that are not present in the prior art. Hence claims 1-4 and 16-29

are presently in condition for allowance, and the Applicants respectfully request that the Examiner reverse the rejections of claims 1-14 and 16-29.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-14 and 16-29) are now in condition for allowance.

Respectfully submitted,


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Date

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